

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DEBORAH JACKSON,
Plaintiff,

v.

HOME DEPOT U.S.A., INC.,
Defendant.

No. 22 CV 1557

JURY DEMANDED.

COMPLAINT

Plaintiff Deborah Jackson alleges as follows:

1. This is a civil action arising under Illinois's substantive law of torts.

The jurisdiction of this Court is conferred by 28 U.S.C. § 1332(a)(1).

2. Plaintiff Deborah Jackson is a citizen of Illinois.

3. Defendant is a Delaware corporation with its corporate nerve center in Georgia.

4. The events described herein occurred in this judicial district.

5. Defendant owns and operates a retail store located at 20101 S. La Grange Rd., in Frankfort, Illinois (hereafter, the "Frankfort Home Depot").

6. On April 20, 2021, plaintiff and her daughter were shopping at the Frankfort Home Depot.

7. While in one of the store's aisles, plaintiff and her daughter were speaking with a store associate, who was one of defendant's employees, regarding the items they intended to purchase.

8. Plaintiff's daughter asked the associate where to find a certain item and the associate pointed behind them. When plaintiff stepped backwards to turn

around, she fell over an empty pallet that had been left in the aisle by one of defendant's employees, causing her to sustain a right distal radius fracture, among other injuries.

9. At all relevant times, defendant owed a duty to use reasonable care in the maintenance of its store and in its operations for the benefit of its customers.

10. In violation of this duty, defendant, by and through its employees, committed one or more of the following negligent acts and/or omissions:

- a. Left an empty pallet in an aisle where it created a trip hazard and where it was foreseeable that customers would be distracted by merchandise on the shelves and fail to observe it;
- b. Failed to warn plaintiff that the empty pallet was behind her;
- c. Pointed plaintiff in the direction of the empty pallet without warning her of its presence.

11. As a direct and proximate result of defendant's negligence, plaintiff sustained serious injuries of a personal and pecuniary nature, including pain and suffering, emotional distress, loss of a normal life, and additionally incurred liability for reasonable and necessary medical services. Plaintiff seeks more than \$75,000.00 in damages.

12. Plaintiff demands trial by jury.

WHEREFORE plaintiff requests that judgment be entered in her favor and against defendant.

By: /s/ John K. Kennedy
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